



PATENT
Atty. Docket No. 29997/035A

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3739

BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Malackowski et al.

Serial No.: 09/764,609

Filed: January 17, 2001

For: SURGERY SYSTEM

Group Art Unit: 3739

Examiner: John P. Leubecker

Certificate of Mailing

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date:

Date: April 26, 2005

J. William Frank, III
Reg. No. 25,626
Attorney for Applicant(s)

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) or patent owner hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the examiner dated January 26, 2005 rejecting claims 1-34 and 80-106.

Our authorization PTO 2038, in the amount of \$500.00 to cover the fee required under 37 CFR 1.17(b) is submitted herewith.

Any additional required fee may be charged to our Deposit Account No. 50-1903. A copy of this Notice is enclosed. Please refund any overpayment to McCracken & Frank LLP at the address below.

Respectfully submitted,

McCracken & Frank LLP
200 West Adams Street
Suite 2150
Chicago, Illinois 60606
(312) 263-4700
Customer No: 29471

April 26, 2005

By:

J. William Frank
Reg. No: 25,626